IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 19922 of 2005

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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BHAILALBHAI JIVANLAL PANCHAL - Petitioner(s)

Versus

DELWADA GRAM PANCHAYAT & 1 - Respondent(s)

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Appearance :
MR SP MAJMUDAR for Petitioner(s) : 1,MR YJ PATEL for Petitioner(s) : 1,
RULE SERVED BY DS for Respondent(s) : 1 - 2.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 29/11/2005

ORAL JUDGMENT

In this petition under Article 226 of the Constitution of India, the petitioner has prayed for appropriate writ, order and/or directions directing the respondent No.4 to correct the date of birth of the petitioner pursuant to his representation dtd.16/9/2005.

2. In view of the above, the decision of the Division Bench of this Court rendered in Letters Patent Appeal No.699 of 2003 and considering the provisions of the Birth and Death Registration Act, the petitioner is required to obtain appropriate order from the concerned Judicial Magistrate (FC).

3. Mr.Majmudar, learned advocate appearing on behalf of the petitioner seeks permission to withdraw the present petition with a liberty to make an application before the concerned Judicial Magistrate (FC) for obtaining appropriate order. However, he requests to direct the concerned Judicial Magistrate to decide and dispose of such application that may be filed by the petitioner as early as possible preferably within a period of four weeks.

4. In the facts and circumstances, in case

of receipt of an application from the petitioner as aforesaid, the concerned Judicial Magistrate (FC) is directed to decide and dispose of such application as expeditiously as possible, preferably within a period of FOUR WEEKS, from the date of receipt of the representation.

5. With the aforesaid observations and directions, the present petition stands disposed of. D.S. Permitted.

(M.R. SHAH,J.)

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